

daries; providing for the election of a board of trustees therefor, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 223 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 100 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 175 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 312 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 3, 1921.

Hon Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 327 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

### THIRTY-NINTH DAY.

Senate Chamber,

Austin, Texas,

Friday, March 4, 1921.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

Absent—Excused.

Hertzberg.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

### Simple Resolution No. 69.

Resolved, That the Hon. Charles F. Greenwood, of Dallas, a former member of the Texas Legislature, be granted the privileges of the Chamber, and be requested to address the Senate.

McNEALUS.  
WATTS.

The resolution was read and adopted.

The Chair appointed Senators McNealus and Watts as a committee to escort Mr. Greenwood to the president's stand, who, after being introduced, addressed the Senate.

### Simple Resolution No. 70.

By Senator Dorough:

Be it resolved by the Senate, That the Lieutenant Governor be and he is

hereby authorized and directed to send a message to President-elect Harding extending to him the best wishes of the Senate.

The resolution was read and adopted.

#### Senate Concurrent Resolution No. 22.

By Senators Fairchild, Richards, Cousins, and Bledsoe:

S. C. R. No. 22, Inviting Hon. Sam H. Cowan to address a joint session of the Legislature.

Whereas, Sam H. Cowan, of Fort Worth, is a recognized authority throughout the United States on transportation legislation and in the making and application of railroad rates, and the relation of Federal regulations to State regulations of common carriers, and has recently argued the pending Texas Rate Case before the Interstate Commerce Commission; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That Mr. Cowan be invited to address a joint session of the Legislature at 1:30 p. m. on 4th of March, 1921, in the Hall of the House of Representatives.

The resolution was read and adopted.

#### Bills and Resolutions.

(By Unanimous Consent.)

By Senator Carlock:

S. B. No. 337, A bill to be entitled "An Act to create the 'County Court at Law' for Tarrant County, Texas, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the County Court of Tarrant County, fixing the salary of the judge of said court, providing the appointment and election of the judges of said court herein created, providing for the appointment of special judges and filling of vacancies in said office, and providing an official shorthand reporter for said court and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Davidson, by request:

S. B. No. 338, A bill to be entitled "An Act to amend Article 4699 of the Revised Civil Statutes, of the

State of Texas, so as to provide for the appointment of administrators by courts in actions for injuries resulting in death, either under Title 70 of Article 6648 of the Revised Civil Statutes or any statute of this State or of the United States, to authorize any administrator to enter into such agreed judgment as may be approved by the court, to authorize the court to apportion the amount awarded beneficiaries, and providing that Articles 2169 to 2171, inclusive, of the Revised Civil Statutes of the State of Texas, shall apply to any judgment therein, in favor of any minor, lunatic, idiot or non compos mentis, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Witt:

S. B. No. 339, A bill to be entitled "An Act relative to motion pictures and motion picture shows and making it unlawful to exhibit or show certain kind of motion pictures in this State, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Witt:

S. B. No. 340, A bill to be entitled "An Act amending Article 303 of Chapter 2, Title 6 of the Revised Penal Code of 1911, relative to doing certain kinds of business on Sunday, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bledsoe:

S. B. No. 341, A bill to be entitled "An Act attaching the unorganized county of Cochran to the county of Hockley for judicial purposes; providing that all books, papers, documents, records and property of every kind properly belonging to Cochran County and now in the possession and control of Lubbock County, or of any official of Lubbock County, shall be as soon as possible transferred and delivered to the proper officials of Hockley County; providing that all expenses incurred in effecting such transfer shall be borne and paid by Hockley County out of its general revenues; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Counties and County Boundaries.

By Senator Bledsoe:

S. B. No. 342, A bill to be entitled "An Act validating the attempted incorporation of all cities, towns or villages operating under the provisions of Title 22, Revised Statutes, 1911, and amendments thereto, and validating the attempted acceptance by incorporated towns or villages of the provisions of the law with respect to cities and towns under said title, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senators Page and Witt:

S. J. R. No. 11, Proposing an amendment to Article 16 of the Constitution of the State of Texas by adding to said Article a section to be known as Section 50, providing for the creation, establishment, and maintenance of warehouse districts, within the State of Texas and permitting the establishment of cotton compresses, cotton oil mills and cotton gins in connection with and as part of same, and a sinking fund for the payment of same, and for the establishment of such warehouse districts by vote of the tax payers in the districts; and limiting the amount of tax that may be assessed against the property in the district."

Read first time and referred to Committee on Constitutional Amendments.

Morning call concluded.

#### Senate Bill No. 328.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading.

S. B. No. 328, A bill to be entitled "An Act to amend Section 1, Chapter 15, Local and Special Laws of the State of Texas, passed by the Thirty-Sixth Legislature at its Third Called Session creating the Garwood Independent School District, in Colorado County, increasing the area of said district on the west side of the Colorado River so as to include with-

in said district and in addition to the territory already contained therein the following described territory, set out within the hereinafter described field notes; prescribing the method of changing the boundaries of said District, and defining the boundaries of said school district and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 328 put on its third reading and final passage by the following vote:

Yeas—29.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

Absent—Excused.

Hertzberg.

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

Absent—Excused.

Hertzberg.

**Senate Bill No. 334—Ordered Printed in Journal.**

Senator Williams moved that Senate Bill No. 334 be printed in the Journal of today, and the motion prevailed. See Appendix for the bill in full.

**Senate Bill No. 193.**

(Pending Business.)

Action recurred on the pending business from yesterday, Senate Bill No. 193.

The question was on the pending amendment by Senator Wood (see Journal of yesterday for the amendment in full).

Senator Floyd here renewed his motion to table the amendment, which motion to table was adopted by the following vote:

**Yeas—16.**

Baugh.	Hall.
Buchanan.	Harp.
Cousins.	Lewis.
Darwin.	McNealus.
Davidson.	Page.
Dorough.	Rogers.
Fairchild.	Suiter.
Floyd.	Woods.

**Nays—10.**

Bailey.	Murphy.
Carlock.	Parr.
Clark.	Richards.
Dudley.	Watts.
McMillin.	Wood.

(Pairs Recorded.)

Senator Williams (present), who would vote nay; with Senator Hertzberg (absent), who would vote yea.

Senator Witt (present), who would vote yea; with Senator Bledsoe (absent), who would vote nay.

Senator Dorough offered the following amendment:

Amend Senate Bill No. 193 by striking out all of said bill beginning with sub-division 4, Section 2, page 3 down to and including line 13, page 8 and re-numbering the remaining Sections accordingly and amend the caption to correspond.

The amendment was read, and,

Senator Floyd moved to table the amendment, which motion was lost by the following vote:

**Yeas—10.**

Baugh.	Lewis.
Cousins.	McMillin.
Darwin.	Page.
Fairchild.	Rogers.
Floyd.	Woods.

**Nays—16.**

Bailey.	Harp.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Parr.
Davidson.	Richards.
Dorough.	Suiter.
Dudley.	Watts.
Hall.	Wood.

(Pairs Recorded.)

Senator Williams (present), who would vote nay; with Senator Hertzberg (absent), who would vote yea.

Senator Witt (present), who would vote yea; with Senator Bledsoe (absent), who would vote nay.

The amendment was then adopted by the following vote:

**Yeas—17.**

Bailey.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Parr.
Clark.	Richards.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Wood.
Hall.	

**Nays—10.**

Baugh.	Lewis.
Cousins.	Page.
Darwin.	Rogers.
Fairchild.	Witt.
Floyd.	Woods.

Absent.

Harp.

(Pair Recorded.)

Senator Williams (present), who would vote yea; with Senator Hertzberg (absent), who would vote nay.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 25, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99 of the General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the General Laws of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35, General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Bowie and Marion counties, and declaring an emergency." With engrossed rider.

H. B. No. 32, A bill to be entitled "An Act to authorize the creation of international trading corporations in this State under the general corporation laws of this State, which authorize such corporations to engage in business of international trading, trading the products of the farm, ranch or orchard, mine and forest, and engage in the sale of such foreign countries, and permitting the residents of foreign countries to take stock in such corporations, and permitting such corporations to take in payment for capital stock property at an appraised value, to be determined upon by a board of appraisers selected by the Secretary of State of the State of Texas, who are familiar with the value of such properties; providing that the control of said corporation shall never be surrendered to any country save and except the United States of America and that a majority of said stock shall always be owned by citizens of Texas and the United States and that a majority of the directors shall be citizens of Texas; providing a penalty for vesting more than a majority of stock in a foreign country, and declaring an emergency."

H. B. No. 58, A bill to be entitled "An Act to amend Article 325, Title 12, of the Revised Civil Statutes of 1911, so as to permit proceedings under said Article regardless of indictment, criminal prosecution or conviction for any of the matters therein named."

H. B. No. 65, A bill to be entitled "An Act to amend Chapter 75, pages

140 and 141, of the General Laws of the Regular Session of the Thirty-fifth Legislature, which was an Act amending Articles 1521, 1522, 1543, 1544 and 1526, of Revised Civil Statutes of 1911, defining the original and appellate jurisdiction of the Supreme Court of Texas and regulating the practice therein."

H. B. No. 68, A bill to be entitled "An Act to amend Section 1, Chapter 16, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, being an Act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a Juvenile Board within certain counties of the State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation to such officers; allowing the said district judges an additional salary, to be paid out of the general fund of such county, and declaring an emergency."

H. B. No. 81, A bill to be entitled "An Act to amend Articles 4600 and 4601, Chapter 7, Title 66, of the Revised Civil Statutes of Texas, 1911 (being Articles 784 and 785 of the Revised Criminal Statutes of Texas, 1911), relating to fees to be paid by applicants for licenses as embalmers and the annual fees to be paid by registered embalmers, to provide a penalty for the violation thereof or the failure to pay such fees, and declaring an emergency."

H. B. No. 84, A bill to be entitled "An Act to amend Article 2925 and Article 2926, Title 49, Chapter 2, Revised Civil Statutes of Texas, relating to the compensation of election judges and clerks." With engrossed rider.

H. B. No. 91, A bill to be entitled "An Act to amend Sections 1 and 7 (designated in the caption of the Act to be amended as Sections 1494a and 1494f of Chapter 2 of Title 29 of the Revised Statutes of 1911 of Senate Bill No. 6, passed at the Regular Session of the Thirty-fourth Legislature, entitled 'An Act to amend Chapter 2 of Title 29 of the Revised Statutes of 1911, by adding thereto Articles 1494a, 1494b, 1494c, 1494d, 1494e, 1494f, 1494g, 1494h and 1494j, so as to place the finances of all improvements, navigation, drainage, road or irrigation districts, and all other districts that are now in existence by authority of law, or that may hereafter be created, un-

der the control and supervision of the county auditor, in all counties containing a population of one hundred and ten thousand or more, as shown by the United States census of 1910, in which there now exists a county auditor, or in which a county auditor may hereafter be created, and providing for the filing, auditing and approving by him of all bills of said districts, and providing a method of drawing and paying said warrants, and providing for the prescribing of all necessary forms and the supervision by the auditor of the various funds of said districts, etc., and repealing all laws in conflict therewith, and declaring an emergency."

The House has adopted the following resolutions:

H. C. R. No. 32, commending Ex-President Woodrow Wilson.

H. C. R. No. 33, instructing Chief Clerk of the House to wire Ex-President Woodrow Wilson contents of H. C. R. No. 32.

S. C. R. No. 22, inviting Hon. Sam. H. Cowan to address the Legislature; with an amendment.

The House concurred in Senate amendments to H. B. No. 132, by the following vote: Yeas 106, nays 0.

Respectfully submitted,  
N. K. BROWN,  
Chief Clerk, House of Representatives.

#### Senate Concurrent Resolution No. 22.

The Chair laid before the Senate, S. C. R. No. 22, with a House amendment, making the hour of address of Mr. Cowan 8 o'clock p. m.

The amendments were concurred in.

#### House Concurrent Resolution No. 32.

The Chair laid before the Senate, H. C. R. No. 32, commending Ex-President Wilson.

On motion of Senator Richards, the consideration of the resolution was postponed until 3 o'clock today, to be considered in connection with other resolution on same subject.

H. C. R. No. 33, providing for transmission of H. C. R. No. 32 to Ex-President Wilson by wire, was also postponed until the hour of considering resolutions on same subject matter.

#### Bills Read and Referred.

The Chair (Lieutenant-Governor Davidson), had referred, after their captions had been read, the following House Bills:

H. B. No. 25, referred to Committee on Stock and Stock Raising.

H. B. No. 32, referred to Committee on Commerce and Manufacturing.

H. B. No. 58, referred to Committee on Civil Jurisprudence.

H. B. No. 65, referred to Committee on Civil Jurisprudence.

H. B. No. 68, referred to Committee on Criminal Jurisprudence.

H. B. No. 81, referred to Committee on Public Health.

H. B. No. 84, referred to Committee on Privileges and Elections.

H. B. No. 91, referred to Committee on County and County Bonds.

#### Senate Bill No. 193.

(Pending Business.)

Action recurred on the pending business, Senate Bill No. 193.

Senator Richards offered the following amendment:

Amend Senate Bill No. 193, page 2, line 27, by striking out word "75," and inserting in lieu thereof the word "65."

(Senator Carlock in the Chair.)

The amendment was read and adopted.

Senator Richards offered the following amendment:

Amend Senate Bill No. 193, page 2, lines 29 and 30, by striking out words "State Board of Education." and inserting in lieu thereof the following, "County Board of Education."

Senator Floyd moved to table the amendment, which motion to table was adopted.

Senator Fairchild offered the following amendment, which was read and adopted.

Amend Senate Bill No. 193, page 3, at the end of sub-division 3, by adding sub-division 4, as follows:

Sub-division 4. Whenever a Common School District or an Independent School District receives by donation or gift the amount of money that is equal or exceeds the local tax that could be voted by said District as is required by law, to entitle said School District to participate in the appropriation as

provided by law, then said School District shall be entitled to receive their pro rata part of the School fund that is provided for in this bill, with such limitation and restriction as provided by law.

Senator Williams offered the following amendment:

Amend Senate Bill No. 193, page 2, by striking out the figures \$2,000,000 in Section 1, and adding in lieu thereof the figures \$1,000,000.

Senator Floyd moved to table the amendment, which motion to table was adopted by the following vote:

**Yeas—20.**

Bailey.	Lewis.
Buchanan.	McNealus.
Clark.	Murphy.
Cousins.	Page.
Davidson.	Richards.
Dorough.	Rogers.
Fairchild.	Suiter.
Floyd.	Witt.
Hall.	Wood.
Harp.	Woods.

**Nays—9.**

Baugh.	McMillin.
Bledsoe.	Parr.
Carlock.	Watts.
Darwin.	Williams.
Dudley.	

**Absent—Excused.**

Hertzberg.

Senator Dorrough offered the following amendment:

Amend Senate Bill No. 193, line 2, page 3, by striking out the words "Rural School Inspector," and substitute therefor the following, "County School Superintendent."

Senator Richards offered the following amendment to the amendment:

Amend Senate Bill No. 193, page 3, lines 2 and 3, by striking out the words "Rural School Inspector sent by the State Department of Education," and inserting in lieu thereof the following, "County Board of Education."

The amendment to the amendment was adopted, and,

The amendment, as amended, was then adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 193 put on

its third reading and final passage by the following vote:

**Yeas—29.**

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Clark.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Harp.	

**Absent—Excused.**

Hertzberg.

The bill was read third time and passed finally by the following vote:

**Yeas—23.**

Bailey.	Harp.
Baugh.	Lewis.
Buchanan.	McNealus.
Carlock.	Murphy.
Clark.	Page.
Cousins.	Richards.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

**Nays—4.**

Bledsoe.	McMillin.
Dudley.	Parr.

**Absent.**

Rogers.

(Pair Recorded.)

Senator Williams (present), who would vote "nay"; with Senator Hertzberg (absent), who would vote "yea."

**Senate Bill No. 316.**

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 316, A bill to be entitled "An Act granting to the City of Port Lavaca, Texas, all right, title and in-

terest of the State of Texas to certain land lying and being situated under the waters of Lavaca Bay, and granting to said City of Port Lavaca, Texas, the right, power and authority to locate, construct, own and maintain certain sea walls or breakwaters on said lands, and to fill in the space between the mainland and said sea wall or breakwaters with sand, dredge spoil or other material, and granting to said City of Port Lavaca the right to take from Lavaca Bay such sand, dredge, spoil or other material as may be necessary or desirous for filling in such space; and authorizing said City of Port Lavaca to remove and abate any encroachment or structures existing on said property, and to bring such suit or suits as may be necessary to carry out the provisions of this Act; and granting to said City of Port Lavaca the right to fix the shipping district, and to authorize, purchase, construct, own and maintain piers and wharves and to grant franchise therefor, and to construct and maintain slips into the waters of Lavaca Bay beyond said sea walls or breakwaters, and within the territory herein granted; granting the right of eminent domain and reserving all mineral rights to the State, providing for the appraisement of said land, and the sum per acre to be paid for said land, and the disposition of said funds, and the issuance of a patent therefor, fixing the time to begin construction and reserving to the State and the United States Government the right to erect wharves, piers and buildings on said land, and reserving the right to place all piers and wharves and the rates and charges thereon under the supervision of the Railroad Commission of the State, and declaring an emergency."

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**Recess.**

On motion of Senator McNealus, the Senate, at 12 o'clock, noon, recessed until 2:30 o'clock p. m. today.

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**After Recess.**

The Senate was called to order by President Pro Tem. Page.

**Senate Bill No. 316.**

The pending business, Senate Bill No. 316, was resumed.

(See morning proceedings for caption in full.)

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 316 put on its third reading and final passage by the following vote:

**Yeas—23.**

Bailey.	Harp.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Hall.	

**Absent.**

Baugh.	McNealus.
Clark.	McMillin.
Lewis.	Williams.

**Absent—Excused.**

Hertzberg.

The bill was read third time and passed finally, by the following vote:

**Yeas—23.**

Bailey.	Hall.
Baugh.	Harp.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Rogers.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Witt.
Dudley.	Wood.
Fairchild.	Woods.
Floyd.	

**Absent.**

Clark.	McNealus.
Lewis.	Richards.
McMillin.	Williams.

**Absent—Excused.**

Hertzberg.



**House Bill No. 224.**

The Chair laid before the Senate, on third reading,

H. B. No. 224, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81, of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34 of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, extending the term of said commission to the last Saturday in June, 1921, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1923, for the appointment of judges for said extended term, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

**Yeas—22.**

Bailey.	Harp.
Baugh.	Lewis.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Darwin.	Richards.
Dudley.	Rogers.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.

**Nays—5.**

Davidson.	Watts.
Dorough.	Woods.
Suiter.	

**Absent.**

Clark.	McMillin.
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**Absent—Excused.**

Hertzberg.

**Senate Bill No. 227.**

Senator Darwin called up from the table, and the Chair laid before the Senate, on second reading,

S. B. No. 227, A bill to be entitled "An Act to amend Article 5114 of the Revised Civil Statutes of the State of

Texas, 1911, Title 75, by striking out the word 'male' where it appears in said section, and declaring an emergency."

There being an adverse majority committee report and a favorable minority committee report,

Senator Darwin moved to adopt the minority, favorable, committee report.

Senator Dorough moved, as a substitute, to adopt the majority, adverse, committee report.

The substitute motion was adopted by the following vote:

**Yeas—18.**

Bailey.	McMillin.
Baugh.	McNealus.
Carlock.	Page.
Dorough.	Parr.
Fairchild.	Rogers.
Floyd.	Suiter.
Hall.	Williams.
Harp.	Witt.
Lewis.	Wood.

**Nays—8.**

Buchanan.	Murphy.
Darwin.	Richards.
Davidson.	Watts.
Dudley.	Woods.

**Absent.**

Bledsoe.	Cousins.
Clark.	

**Absent—Excused.**

Hertzberg.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, March 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 96, A bill to be entitled "An Act to amend Title 29 of the Revised Statutes of the State of Texas, and Chapter 2 thereof, and Articles 1467a, 1468, and 1476 thereof, and Chapter 134 of the General Laws of the Regular Session of the Thirty-fifth Legislature, page 339 thereof, providing more fully for placing common and independent school district accounts thereof, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 103, A bill to be entitled "An Act amending Article 5694, Title 87, Chapter 2, relating to limitations of vendor's liens and implied liens in real estate and barring same in four years from maturity."

H. B. No. 105, A bill to be entitled "An Act to amend Section 1, Chapter 68 of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Article 1143, Chapter 3, Title of the Code of Criminal Procedure, as amended by Chapter 20 of the Acts of the State of Texas, relating to the pay of jail guards and matrons, and declaring an emergency.'"

H. B. No. 109, A bill to be entitled "An Act to amend Chapter 57 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature, 1909, relating to the property used by the Court of Criminal Appeals of the State of Texas, providing for a clerk and deputy clerk and providing for the compensation to be paid for each, and declaring an emergency."

H. B. No. 120, A bill to be entitled "An Act providing that persons, firms or corporations who operate or conduct hotels, cafes, restaurants, dining cars or other public eating places, bakeries and meat markets in this State, shall not employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; and further providing that such persons, firms or corporations or common carriers operating places heretofore named or operating any bakery or meat market, shall have made a medical inspection for all their employes at intervals of time of not more than six months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease that such person shall promptly be discharged from such employment; and further providing that all dishes, receptacles or other utensils used in eating or drinking, or for the conveyance of articles of food, shall be thoroughly cleansed since used by another person, and prohibiting the use of dishes, receptacles or other utensils that are cracked or broken in such a manner as to render their sterilization impossible or doubtful, and providing penalties for a violation of the provisions of this Act, and declaring an emergency."

H. B. No. 135, A bill to be entitled "An Act amending Article 282 of the Revised Civil Statutes of Texas of 1911, and requiring a garnishee, though a non-resident of the county in which the suit is pending, to file his answer in the county where the suit, out of which the garnishment proceedings arose, is pending; repealing Articles 283, 284, 285, 286, 287, 288, 289, 290, 291 and 292 of the Revised Civil Statutes of Texas of 1911 and all laws in conflict herewith; amending Article 293 of said Revised Civil Statutes of Texas of 1911, fixing the conditions under which judgment may be enforced against a garnishee; amending Article 302 of the Revised Civil Statutes of Texas of 1911, fixing the jurisdiction of garnishment proceedings in cases where the garnishee is a foreign corporation, or is a non-resident of the county where the main suit out of which the garnishment proceedings arose is pending; providing for notice before applying the provisions of this Act to garnishment proceedings pending when this Act takes effect, and declaring an emergency."

H. B. No. 161, A bill to be entitled "An Act to amend Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, approved April 3, 1919, the same being 'An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including the fixing of a minimum wage, providing for an appropriation therefor, and fixing penalties for the violation thereof, and declaring an emergency,' by providing for manner of selection and employment of said commission; providing additional powers and duties; providing for salaries; making appropriations therefor; fixing penalties for the violation thereof, and declaring an emergency."

H. B. No. 174, A bill to be entitled "An Act to amend Article 7138, Revised Civil Statutes of 1911, so as to provide for the appointment of deputy constables in justice precincts in which there is no city of eight thousand or more inhabitants and declaring an emergency."

Respectfully submitted,

N. K. BROWN,

Chief Clerk, House of Representatives.

**House Concurrent Resolution No. 32.**

The Chair here laid before the Senate,

H. C. R. No. 32, being a resolution commending former President Woodrow Wilson, on his administration and extending him good wishes for the recovery of his health and contented activity in affairs of his country.

The resolution was read, and after several addresses were made, was adopted by a standing vote.

**House Concurrent Resolution No. 33.**

The Chair laid before the Senate,

H. C. R. No. 33, being a resolution providing for the telegraphing President Wilson good will message.

The resolution was read and adopted.

**Bills Read and Referred.**

The Chair (President Pro Tem Page), had referred, after their captions had been read, the following House Bills:

H. B. No. 96, referred to Committee on Educational Affairs.

H. B. No. 103, referred to Committee on Civil Jurisprudence.

H. B. No. 105, referred to Committee on Criminal Jurisprudence.

H. B. No. 109, referred to Committee on Criminal Jurisprudence.

H. B. No. 120, referred to Committee on Public Health.

H. B. No. 135, referred to Committee on Civil Jurisprudence.

H. B. No. 161, referred to Committee on Labor.

H. B. No. 174, referred to Committee on State Affairs.

**Senate Bill No. 164.**

The Chair laid before the Senate, on third reading,

S. B. No. 164, A bill to be entitled "An Act to amend Section 1 of Chapter 20, page 137, passed at the Fourth Called Session of the Thirty-fifth Legislature, known as the Act limiting the right of suffrage to citizens of the United States, so as to hereafter read as follows, limiting meaning of 'citizens,' and declaring an emergency."

The bill was read third time and passed finally.

**Senate Joint Resolution No. 5.**

Senator Woods called from the table, and the Chair laid before the Senate on second reading,

S. J. R. No. 5, a joint resolution proposing an amendment of Article 5 of the Constitution of the State of Texas relating to the judicial department thereof, being a substitute for said Article 5 and all of the sections and provisions thereof.

Action recurred on the committee report, with amendments, and the committee report was adopted.

On February 24, Senator Woods offered a proposed amendment to the resolution, and which was printed in the Journal of that date. (See Journal of February 24 for the amendment in full.) The amendment was adopted.

Action recurred on the engrossment of the resolution, and the same was passed to engrossment by the following vote:

**Yeas—14.**

Bailey.	McMillin.
Cousins.	Murphy.
Davidson.	Parr.
Lorough.	Suiter.
Fairchild.	Watts.
Floyd.	Witt.
Hall.	Woods.

**Nays—10.**

Baugh.	Harp.
Bledsoe.	McNealus.
Carlock.	Page.
Darwin.	Williams.
Dudley.	Wood.

**Present—Not Voting.**

Buchanan.

**Absent.**

Clark.	Richards.
Lewis.	Rogers.

**Absent—Excused.**

Hertzberg.

**Senate Bill No. 174.**

The Chair laid before the Senate, on second reading,

S. B. No. 174, A bill to be entitled "An Act to amend Article 3883 of Chapter 40 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature, at its Third Called

Session, regulating the fees allowed county officers in certain counties of this State, and declaring an emergency."

Senator Bledsoe offered the following amendment:

Amend Senate Bill No. 174 as printed, page 1. Section 1, line 28, by striking out the words and figures "thirty-five hundred" and insert in lieu thereof "twenty-five hundred."

Line 31 by striking out the words and figures "thirty-five hundred" and inserting in lieu thereof "twenty-seven hundred and fifty."

Lines 32, page 1 and line 1, page 2, by striking out the words and figures "thirty-five hundred" and inserting in lieu thereof "twenty-seven hundred and fifty."

Page 2, line 2, by striking out the words and figures "thirty-five hundred" and inserting in lieu thereof "twenty-seven hundred and fifty."

Page 1, lines 25 and 26, by striking out the words and figures "thirty-five hundred" and inserting in lieu thereof "twenty-seven hundred and fifty."

The amendment was read and adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Bledsoe, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 174 put on its third reading and final passage by the following vote:

#### Yeas—23.

Bailey.	McMillin.
Baugh.	McNealus.
Bledsoe.	Murphy.
Buchanan.	Page.
Carlock.	Parr.
Cousins.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Harp.	

#### Absent.

Clark.	Lewis.
Darwin.	Richards.
Hall.	Rogers.

#### Absent—Excused.

Hertzberg.

The bill was read third time and passed finally by the following vote:

#### Yeas—24.

Pailey.	Harp.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Darwin.	Parr.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.

#### Absent.

Clark.	Richards.
Cousins.	Rogers.
Lewis.	

#### Absent—Excused.

Hertzberg.

#### Senate Bill No. 182.

The Chair laid before the Senate, on second reading, Senate Bill No. 182.

On account of the absence of Senator Hertzberg, the author of the bill, Senator Witt moved to lay the bill on the table subject to call.

The motion was adopted.

#### Senate Bill No. 111.

The Chair laid before the Senate, on second reading,

S. B. No. 111, A bill to be entitled "An Act authorizing the removal of the Main University of Texas from its present site in the city of Austin, contiguous to the said city of Austin, Travis County, to a new site in and now owned by the University, known as the Brackenridge land; appropriating the unexpended balance of the University available fund and all of such available fund to accrue for the fiscal years ending August 31, 1922, and August 31, 1923, to meet such expenditures as are incident to or necessary for the preparation of removal of the University, for the purchase of additional lands adjacent to the new site, and for the erection of new buildings upon such site; authorizing the Board of Control of the State to ascertain the value of the University buildings and lands on the present site and report thereon;

authorizing the Legislature to purchase the buildings and lands now used by the Main University in the city of Austin at a fair valuation, making payments therefor, by appropriation for the general revenue; providing that the removal of the Main University shall be accomplished at such time and in such manner as the Board of Regents shall find practicable, and for the continued use of the present buildings by the University until the removal is accomplished; validating acts of the Board of Regents, notwithstanding the removal of the institution to the new site, and declaring an emergency."

Senator Wood offered the following amendment:

Amendment No. 1.

Amend Senate Bill No. 111, by striking out all below the enacting clause and substitute the following:

Section 1. The Governor of the State of Texas is hereby authorized and requested to appoint a commission of three citizens of this State to act as a Board to negotiate for and purchase of such lands adjacent to the University campus in the City of Austin out of the lands herein described for the use of the University of Texas, the title of said land to be taken in the name of the Board of Regents of the University of Texas, and their successors, and when the same is acquired, shall be subject to the management and control of the Board of Regents in the same manner and to the extent that the lands now held by the University of Texas in the City of Austin are held and controlled. The official name of said Board shall be "The University Land Acquisition Board" and said Board, when appointed, shall appoint its own presiding officer.

Sec. 2. The sum of one million dollars is hereby appropriated out of any funds in the State of Texas not otherwise appropriated, to be expended by the Commission designated in Section 1 hereof for the purpose of paying for the lands acquired by the Commission under the terms of this Act.

Sec. 3. The said Board shall purchase such lands as in their judgment is necessary and proper out of the following tracts of land, to-wit:

Tract One. Beginning at the southwest corner of the tract of land willed by George W. Littlefield to the University of Texas for a girls dormitory, at the intersection of 24th Street and Whitis Ave., thence north with the east line of said Whitis Ave. to 25th Street; thence eastwardly to the intersection of 25th Street and Speedway Street; thence south with said Speedway Street with the west line of Speedway Street to a point 150 feet south of the north line of block 7 in the City of Austin and at the intersection of said Speedway and an alley running east, as same appears in the official map of the City of Austin; thence east with the north line of said alley to the intersection of said alley as extended with Waller Creek in the center thereof; thence south with the meanders of said creek, and in the center of same, to the intersection of said creek with the south line of 24th Street in the City of Austin; thence west with said south line of 24th Street to a point directly south of the place of beginning; thence north across said 24th Street to the place of beginning.

Tract Two. Beginning at the intersection of the south line of 24th Street and Speedway, thence east with said south line of 24th Street to the intersection of 24th Street and Waller Creek and in the center thereof; thence south with the meanders of said creek to the intersection of said creek with the south line of 21st Street in the City of Austin; thence west with said south line of 21st Street to the intersection of same with Speedway; thence north with said Speedway to the place of beginning.

Tract Three. Beginning at the intersection of Speedway and the south line of 21st Street, thence east with the said south line of 21st Street to the intersection of same with Waller Creek, and in the center thereof; thence southwardly with the meanders of said creek, and in the center thereof, to the intersection of said creek with the north line of 19th Street in the City of Austin; thence west with said north line of 19th Street to the intersection of said 19th Street with the east line of Speedway in the City of Austin; thence

north with said east line of Speedway to the place of beginning.

Tract Four. Beginning at the intersection of the north line of 24th Street with Waller Creek, in the center of said creek; thence east with said north line of 24th Street to the intersection of said north line with the west line of Red River Street; thence south with said west line of Red River Street to the intersection of said Street with the north line of Pelham Street; thence west with said north line of said Pelham Street to the intersection of same with Waller Creek, in the center of said creek; thence northwardly with the meanders of said creek and the center thereof to the place of beginning.

Sec. 4. There is excepted from the lands herein described all property which now belongs to the University of Texas and such as is now occupied by religious, charitable or eleemosynary institutions.

Sec. 5. The Commission herein appointed shall not pay any sum whatsoever for any street or alley embraced in the description of the property herein described, and shall procure from the City of Austin the right to close or change such streets at such time as the Board of Regents, or their successors, may desire.

Sec. 6. The Commission herein provided for shall take deeds in fee to each and every lot, block, piece or parcel purchased by them, said deed to be in the name of the Board of Regents of the University of Texas and their successors in office, for the use and benefit of the University of Texas and the State of Texas. The Board shall purchase such land upon agreement directly between them and the different owners and at the lowest price possible to be agreed upon between the Board and the owners, and if the purchase price of any lot or parcel of land cannot be agreed upon and the Board desires to procure the title thereto, they are hereby authorized and empowered and it shall be their duty to institute condemnation proceedings in the name of the State of Texas for the use of the University of Texas for such blocks or lands as may be desired, and shall proceed with said condemnation in the manner provided by law in the exercise of the power of

eminent domain by railroad companies in acquiring right-of-ways.

The Board is hereby authorized and empowered to contract for the property or any part thereof described in the tracts of land herein either with or without the improvements upon said land, but after the title of said property is acquired, the disposition of the improvements of said property shall vest in and be subject to the control of the Board of Regents and their successors, and they shall hold said lands and improvements thereon with the same authority and extent as the present lands in the City of Austin used and occupied and controlled by the University of Texas are held.

Upon the acquisition of the lands above described by the Board or Commission herein created, and the delivery of the same to the Board of Regents, the said Board of Regents and their successors shall have the right to lease the buildings and improvements situated upon the land acquired for such sum and for such period of time as in their judgment is best and the revenues derived therefrom shall be deposited and become a part of the available fund. It is expressly provided, however, that no lease of any of said property shall be for a longer term than ten years, and such lease shall specifically retain the right in the Board of Regents to terminate same on the first day of any January after the date said lease was executed. The Board of Regents is hereby expressly empowered to dismantle, tear down and dispose of or remove any and all improvements from such land as may be acquired under the provisions of this Act.

Sec. 7. The purchase price of any and all land acquired under the provisions of this Act shall be paid directly to the owners of said land by vouchers drawn by the Comptroller of the State against the fund herein provided, upon the written order of at least two of the Commissioners appointed under the terms of this Act, and no voucher shall be drawn for the purchase of any of the land described in this Act unless the deed for the land from the owners, approved by the Attorney General, accompany the order of the

Commissioners to the Comptroller for the voucher.

Sec. 8. The appropriation herein made shall be entered upon the books of the Treasurer of the State of Texas to the credit of the University Land Acquisition Board.

Sec. 9. The Commissioners herein provided for shall receive the sum of ten dollars per day for such time as they may be actually engaged in the work incident to the acquisition of the property herein described not to exceed 150 days and said Commissioners are hereby authorized to expend such sum as they may deem necessary for making or having made such survey and scientific investigation of the different tracts of land herein described as they may deem necessary, not to exceed five thousand dollars. All moneys expended, or paid out as provided for in this section shall be paid out of the fund herein provided for and set apart.

Sec. 10. It is hereby made the duty of the Commission provided for before purchasing any of the land herein described to require a guaranty bond from the Chamber of Commerce or citizens of Austin, guaranteeing to said Commission that each or all of the different tracts of land herein described can be secured by said Board for the purposes herein specified at a specific net price; said bond to be drawn by the Attorney General of the State of Texas in such words, tenor and effect as in his opinion will be binding and to be approved by him, it being the intention of this section that said Commission may determine what specific tract or tracts described in this Act they desire to purchase, and the reasonable price of said entire tract or tracts and to require, before entering into the purchase of any of said tract or tracts, the Chamber of Commerce and the citizens of Austin to guarantee that the whole of said tract or tracts can be secured at a price not exceeding the sum to be fixed by said Commission. Said maximum price to cover all condemnation proceedings and the cost incident thereto that may be necessary for the acquisition of the property, and the Attorney General of the State of Texas is hereby authorized and directed to bring and prosecute all condemnation pro-

ceedings that may be necessary under the terms of this Act at the request of the Commissioner herein appointed.

Sec. 11. The fact that the University campus is inadequate and it is impossible to facilitate the growth and expansion of the University, and that the land above described is adjacent to, available and particularly adapted for use as a University site in connection with the present campus, and the fact that it is now an opportune time for the purchase of lands herein mentioned, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and that this Act shall take effect and be in force from and after its passage and such rule is hereby suspended, and it is so enacted.

Senator Witt offered the following amendment to the amendment:

Tract One—Beginning in the southwest corner of a tract of land willed by George W. Littlefield to the University of Texas for a Girls' Dormitory, said point being at the intersection of the north line of twenty-fourth street and the east line of Whitis Avenue; thence north, with the east line of said Whitis Avenue to the south line of Houston Street; thence eastwardly with the south line of Houston Street to the west line of Speedway Street; thence southerly with the west line of Speedway Street, to a point in the west line of Speedway Street directly west of the intersecting point of the east line of Speedway Street and the south line of Locust Street; thence easterly along the south line of Locust Street to the center of the channel of Waller Creek; thence south, along the center of said Waller Creek with the meanders of said creek to the intersection of said creek with the south line of Twenty-fourth Street; thence westerly with the south line of Twenty-fourth Street, to a point directly south of the place of beginning; thence north across said Twenty-fourth Street to the place of beginning.

Tract Two—Beginning at the intersection of the south line of Twenty-fourth Street and Speedway; thence east with said south line of Twenty-fourth Street to the intersection of Twenty-fourth Street and Waller

Creek and in the center thereof; thence south with the meanders of said creek to the intersection of said creek with the south line of Twenty-first Street in the City of Austin; thence west with said south line of Twenty-first Street to the intersection of same with Speedway; thence north with said Speedway to the place of beginning.

Tract Three—Beginning at the intersection of Speedway and the south line of Twenty-first Street; thence east with the said south line of Twenty-first Street to the intersection of same with Waller Creek, and in the center thereof; thence southwardly with the meanders of said creek, and in the center thereof, to the intersection of said creek with the north line of Nineteenth Street in the City of Austin; thence west with said north line of Nineteenth Street to the intersection of said Nineteenth Street with the east line of Speedway in the City of Austin; thence north with said east line of Speedway to the place of beginning.

Tract Four—Beginning at the intersection of the north line of Twenty-fourth Street with Waller Creek, in the center of said creek; thence easterly with the said north line of Twenty-fourth Street to the intersection of said north line, with the west line of Red River Street; thence south with said west line of Red River Street to the intersection of said street with the north line of Nineteenth Street; thence westerly with the north line of Nineteenth Street to the intersection of same with Waller Creek in the center of said creek; thence northwardly with the meanders of said creek and in the center thereof, to the place of beginning.

Tract Five—Beginning at the intersection of the south line of Twenty-fourth Street extended with the west line of Red River Street; thence in an easterly direction crossing Red River Street and following the south line of Dietrich Street to the intersection of the said south line of Dietrich Street with the west line of Cameron Road; thence in a southerly direction along the said west line of Cameron Road to the intersection of said line with the north line of Nineteenth Street; thence in a westerly direction with the north line of Nineteenth Street to the intersection of same with the west line of Red River Street; thence in a northerly direction along the west line of said Red River Street to the in-

tersection of same with the south line of Twenty-fourth Street extended, being the place of beginning.

The amendment to the amendment was adopted.

Senator Witt offered the following amendment to the amendment:

Amend Senate Bill No. 111 as amended by striking from Section 10 the words "any of" in the third line of the Section; and the words "each or" in the seventh line of the Section; and by striking from the lines 10 and 11 the words "a specific net price" and substituting the words "the sum by this bill appropriated;" and by striking out of line 16 the last two words of said line, being the words "that said" and by striking out all of lines 17 and 24 inclusive.

Senator McNealus made the point of order that the amendment to the amendment, as amended, was out of order, but the Chair overruled the point of order.

The amendment to the amendment was adopted.

Senator Witt offered the following several amendments to the amendment, severally, which were read and adopted:

Amend Senate Bill No. 111 as amended by striking from line 14, page 754 of the Senate Journal the following words "or any part thereof"

Amend Senate Bill No. 111 as amended by striking from the caption the words "out of which the purchases are to be made by commission" and inserting in lieu thereof the words "to be purchased by the commission."

Amend Senate Bill No. 111 as amended by striking from Section 2 the words "one million dollars" and insert in lieu thereof the words "one million, five hundred thousand dollars."

Senator Suiter offered the following amendment to the amendment, which was read and adopted.

Amend the amendment to Senate Bill No. 111 as amended, page 754 of the Senate Journal by striking out the words "and become a part of the available fund," in the latter part of Section 6 and insert in lieu thereof the following, "and become a building fund and shall be expended for no purpose other than to construct permanent buildings to be used for the purposes of the University."

Senator Wood offered the following amendments, severally, which were read and adopted:



Amend the amendment to Senate Bill No. 111, of the Journal, March 2, in line 3 of Section 2 by striking out the word "Texas" and insert in lieu thereof the word "Treasury."

Amend the amendment to Senate Bill No. 111, of the Journal, March 2, in line 2 of Section 1, by striking out the word "authorized" and insert in lieu thereof the word "shall."

The amendment, as amended, was adopted.

Senator Wood offered the following amendment, which was read and adopted:

#### Amendment No. 2.

Amend Senate Bill No. 111 by striking out all above the enacting clause and substitute the following:

An Act authorizing the Governor of Texas to appoint a commission composed of three citizens of the State of Texas to purchase additional lands adjacent to the University property in the City of Austin for the use and benefit of the University of Texas; prescribing the duties of such commission and describing the land out of which the purchases are to be made by the commission; authorizing condemnation proceedings in event the land desired cannot be acquired at reasonable price without such condemnation; making appropriation for the purchase of the same and directing how and when the same shall be paid for, and requiring a bond from certain citizens of Austin guaranteeing that the land can be acquired at an amount not exceeding the sum herein appropriated, and declaring an emergency.

The bill was read second time and passed to engrossment.

On motion of Senator Wood, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 111 put on its third reading and final passage by the following vote:

Yeas—22.

Hailey.	Floyd.
Baugh.	Harp.
Bledsoe.	Lewis.
Buchanan.	McMillin.
Carlock.	McNealus.
Darwin.	Murphy.
Davidson.	Page.
Dorough.	Parr.
Dudley.	Williams.
Fairchild.	Witt.

Wood.

Woods.

Nays—1.

Suiter.

Absent.

Clark.

Richards.

Cousins.

Rogers.

Hall.

Watts.

Absent—Excused.

Hertzberg.

Senator Carlock here moved that the further consideration of the bill be postponed and made a special order for Saturday morning next following the conclusion of the morning call.

The motion was adopted.

#### Senate Bill No. 167.

The Chair laid before the Senate, on second reading,

S. B. No. 167, A bill to be entitled "An Act to amend Chapter 160 of the Acts of the Regular Session of the Thirty-sixth Legislature of the State of Texas, approved April 3rd, 1919, the same being an Act regulating the employment of women and minors and establishing a Board of Industrial Welfare to investigate and deal with such employment, including the fixing of a minimum wage, providing for an appropriation therefor, and fixing penalties for the violation thereof and declaring an emergency; by providing for the appointment of a Board of Industrial Welfare; defining their powers and duties; fixing their salaries, and fixing penalties for the violation thereof, and declaring an emergency."

On motion of Senator McNealus, the bill was made special order for tomorrow (Saturday) following the consideration of the University bill.

#### Senate Bill No. 311.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No 311, A bill to be entitled "An Act to fix the time of holding the District court in the various counties in the Seventh Judicial District of Texas, to validate all process bonds and recognizances heretofore taken in the courts of said district and all judgments rendered, or to be rendered, repealing all laws in conflict herewith, and declaring an emergency."

Senator Suiter offered the following amendment, which was read and adopted:

Amend Senate Bill No. 311 by striking out Section 4 thereof and insert a new Section 4 as follows:

Sec. 4. That this Act shall be cumulative of the Act creating the Seventh Judicial District and only such parts of that Act as are in conflict herewith are hereby repealed.

The bill was read second time and passed to engrossment.

On motion of Senator Suiter, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 311 put on its third reading and final passage by the following vote:

**Yeas—26.**

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Harp.	

**Absent.**

Clark.	Richards.
Hall.	Rogers.

**Absent—Excused.**

Hertzberg.

The bill was read third time and passed by the following vote:

**Yeas—25.**

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Darwin.	Suiter.
Davidson.	Watts.
Dorough.	Williams.
Dudley.	Witt.
Fairchild.	Wood.
Floyd.	Woods.
Harp.	

**Absent.**

Clark.	Richards.
Hall.	Rogers.

Absent—Excused.

Hertzberg.

Excused.

Senator Clark, for today and tomorrow, on motion of Senator McNealus.

**House Bill No. 242.**

Senator Wood called up, from the table, and the Chair laid before the Senate, on second reading,

H. B. No. 242, A bill to be entitled "An Act authorizing the erection of a monument to the memory of the soldiers, sailors, marines and nurses from Texas who lost their lives during the war between the United States and the Imperial German Government; providing for the appointment of a committee, making an appropriation therefor, permitting private donations, and declaring an emergency."

Action recurred on the following pending amendment:

Amend House Bill No. 242, by striking out the figures \$30,000, and insert in lieu thereof \$100,000.00.

The amendment was lost.

The following pending amendment was adopted:

Amend House Bill No. 242, by striking out all in lines 28 and 29, page 1, from and after the word "war," and insert in lieu thereof the following, "recent world war."

The bill was then passed to engrossment.

**Senate Bill No. 300.**

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

S. B. No. 300, A bill to be entitled "An Act amending Articles 1092, 1094, and 1095 of the Revised Civil Statutes of the State of Texas of 1911, relative to incorporated cities and towns and the abolishing of their corporate existence and re-incorporation thereof; providing for the disposition of money and property of such incorporated cities and towns upon the abolishing of the corporate existence and providing for the collection and disposition of taxes due such abolished corpora-

tion; the main purpose of the Act being to provide a method whereby the money, property and taxes of an incorporated city or town whose corporate existence is abolished may be taken over by the new municipality where a new incorporation is formed with the same or additional or less territory than that of the old incorporated city or town; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill No. 337.

On motion of Senator Carlock, the Constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 337 put on its second reading by the following vote:

##### Yeas—25.

Bailey.	McMillin.
Bledsoe.	McNealus.
Buchanan.	Murphy.
Carlock.	Page.
Cousins.	Parr.
Darwin.	Rogers.
Davidson.	Suiter.
Dorough.	Watts.
Dudley.	Williams.
Fairchild.	Witt.
Floyd.	Wood.
Harp.	Woods.
Lewis.	

##### Absent.

Baugh.	Hall.
Clark.	Richards.

##### Absent—Excused.

Hertzberg.

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The Chair laid before the Senate, on second reading,

S. B. No. 337 (see Bills and Resolutions today for caption).

The bill was read second time and passed to engrossment.

#### Senate Concurrent Resolution No. 23.

A resolution granting Judge P. O. Beard, Judge of the Seventy-first Ju-

dicial District a leave of absence from the State of Texas, during vacation of 1921 and 1922.

Be it resolved by the Senate of the State of Texas, the House concurring, that Judge P. O. Beard, Judge of the Seventy-first Judicial District of Texas, be and is hereby granted a leave of absence from the State of Texas during vacation of the years of 1921 and 1922.

DAVIDSON.

The resolution was read and adopted.

#### Senate Concurrent Resolution No. 24.

Be it resolved by the Senate of the State of Texas, the House concurring, that the Honorable Ben M. Terrell, Judge of the Sixty-seventh District Court of Texas, be given permission on account of poor health to be absent from the State for the months of July and August in the years of 1921 and 1922.

CARLOCK.

The resolution was read and adopted.

#### House Bill No. 242.

On motion of Senator Woods, the Constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 242 put on its third reading and final passage by the following vote:

##### Yeas—22.

Bailey.	Lewis.
Bledsoe.	McMillin.
Buchanan.	McNealus.
Carlock.	Murphy.
Cousins.	Page.
Davidson.	Parr.
Dorough.	Suiter.
Dudley.	Watts.
Fairchild.	Witt.
Floyd.	Wood.
Harp.	Woods.

##### Absent.

Baugh.	Richards.
Clark.	Rogers.
Darwin.	Williams.
Hall.	

##### Absent—Excused.

Hertzberg.

The Chair laid before the Senate, on third reading,

H. B. No. 242 (see former proceedings for caption).

The bill was read third time and passed finally.

### Bills Signed.

The Chair (Lieutenant-Governor Davidson), gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 390, A bill to be entitled "An Act creating the Saint Jo Independent School District in Montague county, Texas, out of the territory known as the Saint Jo Independent School District in said county.

H. C. R. No. 13, Joining the Legislature of the several States of the Union in the application to Congress to submit a resolution to the several States proposing an amendment to the Constitution of the United States so as to provide that all amendments to the Constitution of the United States shall be submitted to the qualified electors of the several States for ratification or rejection.

H. C. R. No. 31, Granting district judges leave of absence from the State during vacation of respective vacations.

H. B. No. 371, A bill to be entitled "An Act to create and establish the County of Kenedy out of territory taken from the existing counties of Cameron and Hidalgo."

### Recess

On motion of Senator McNealus the Senate, at 6 o'clock p. m., recessed until 9:30 o'clock tomorrow morning.

### After Recess.

Saturday, March 5, 1921.

The Senate met at 9:30 o'clock a. m. and was called to order by President Pro Tem Page.

### Senate Bill No. 306.

The Chair laid before the Senate, on second reading,

S. B. No. 306, A bill to be entitled "An Act creating the Stuart Independent School District in Cameron County, Texas, and defining its boundaries; providing for the election of a board of trustees; providing for the selection of a secretary, treasurer, assessor and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all rights, powers, etc., of a town or village incorporated under the General Laws of the State for free school purposes only, and declaring an emergency."

The committee report was adopted.

The bill was read second time and ordered engrossed.

### Senate Bill No. 319.

The Chair laid before the Senate, on second reading,

S. B. No. 319, A bill to be entitled "An Act amending Chapter 41 of the Special Laws passed at the Regular Session of the Thirty-third Legislature creating a more efficient road system for McLennan County,, Texas, so as to authorize the Commissioners' Court of McLennan County to pay the Road Superintendent a yearly salary of not exceeding five thousand (\$5,000.00) dollars, and repealing laws in conflict herewith, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

### Senate Bill No. 295.

The Chair laid before the Senate, on second reading,

S. B. No. 295, A bill to be entitled "An Act creating San Jose Independent School District in Bexar County, Texas; defining the boundaries thereof; providing that outstanding indebtedness of Bexar County Common School District No. 40 shall be valid for and against San Jose Independent District; providing that the legal tax rate of Bexar County Common School District No. 40 shall be made valid in San Jose Independent District, until changed by vote of the people thereof; providing for the general laws of in-

dependent districts to apply to San Jose Independent District, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

#### Senate Bill No. 207.

The Chair laid before the Senate, on second reading,

S. B. No. 207, A bill to be entitled "An Act creating a County Court at Law for Stephens County, Texas; defining and establishing the jurisdiction of said Court and defining the jurisdiction retained by the County Court of Stevens County; providing for the term and practice for County Court at Law for Stephens County, Texas, for the election, qualification of judge thereof and the term of same; providing for the bond and oath of said judge; for the appointment of the judge thereof; providing for the issuance of writs and the return and service of same; providing for the appointment of Jury Commissioners, the selection of juries, the filling of the vacancies in the election of judge; the fees and salaries of the judge of the County Court at Law of Stephens County, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

#### Senate Bill No. 294.

The Chair laid before the Senate, on second reading,

S. B. No. 294, A bill to be entitled "An Act fixing the time of holding court in the Thirty-eighth Judicial District of Texas, changing the time for holding court in Kerr County, and repealing all laws in conflict herewith."

The committee report was adopted.

The bill was read second time and passed to engrossment.

#### Senate Bill No. 293.

The Chair laid before the Senate, on third reading,

S. B. No. 293, A bill to be entitled "An Act to authorize counties and cities of over ten thousand inhabitants, either or both, where a fund of

Fifty Thousand Dollars, or more, has been, or shall be, left by will, or otherwise, for the establishment and maintenance of a hospital in such city in which the sick and wounded of such city, or of the State of Texas, who are indigent, may be admitted and receive the care and attention of the hospital and medical and surgical attention without cost; to aid in the maintenance of such hospital so far as in the judgment of the Commissioners' Court of the county or of the governing body of the city, may be proper; to provide hospital accommodations and medical and surgical attention for the sick and wounded of such county or city who may be indigent; and declaring an emergency."

The bill was read third time and passed finally.

#### Senate Bill No. 279.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 279, A bill to be entitled "An Act making an appropriation to pay witness fees due and owing by the State to in-county witnesses incurred under S. B. No. 126, Chapter 150, Regular Session Thirty-third Legislature, and H. B. No. 13, First Called Session Thirty-third Legislature, Chapter 13, and declaring an emergency."

There being an adverse majority committee report and a favorable minority committee report.

Senator Fairchild moved to adopt the favorable minority committee report, and

Senator McMillin moved, as a substitute, to adopt the majority, adverse, committee report.

The substitute motion was lost by the following vote:

Yeas—8.

Baugh.	Darwin.
Bledsoe.	McMillin.
Buchanan.	Page.
Carlock.	Rogers.

Nays—16.

Bailey.	Murphy.
Cousins.	Parr.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
McNealus.	Woods.

**Absent.**

Dorough.                Lewis.  
Harp.                    Richards.

**Absent—Excused.**

Clark.                    Hertzberg.

The minority committee report was then adopted.

The bill was read second time and passed to engrossment.

Senator Fairchild moved that the Constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 279 put on its third reading.

The motion was lost by the following vote:

**Yeas—17.**

Bailey.	Parr.
Cousins.	Rogers.
Davidson.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Witt.
Hall.	Wood.
McNealus.	Woods.
Murphy.	

**Nays—6.**

Baugh.	Darwin.
Bledsoe.	McMillin.
Carlock.	Page.

**Present—Not Voting.**

Buchanan.

**Absent.**

Dorough.	Lewis.
Harp.	Richards.

**Absent—Excused.**

Clark.                    Hertzberg.

**Excused.**

Senators Harp and Lewis for balance of today and Saturday, on motion of Senator Murphy.

Senator Dorough for today and until Tuesday, on motion of Senator Bailey.

**Senate Bill No. 286.**

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 283. A bill to be entitled "An Act providing that all doctors,

physicians, midwives, nurses, or those in attendance at child birth, shall use prophylactic drops in the eyes of the new born to prevent ophthalmia neonatorum: providing that the State Board of Health shall furnish free of cost to the indigent, such prophylactic drops; affixing a penalty for violations of this Act, and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill No. 240.**

The Chair laid before the Senate, on second reading,

S. B. No. 240, A bill to be entitled "An Act to repeal H.B. No. 832, being Chapter 141, page 556, of the Special and Local Laws of the Thirty-third Legislature, which Act provides that Bandera County, or any political subdivision or defined district, shall have the power and is authorized to vote by a "(two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, or defined district, now or hereafter to be described and defined, voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision or defined district, and to levy and collect taxes, to pay the interest on such bonds, and to provide a sinking fund for the redemption thereof, for the purpose of constructing and maintaining and operating macadamized, graveled or graded roads and turnpikes, or in aid thereof, and authorizing the Commissioners' Court of said county to describe and define road districts therein; creating the office of County Road Superintendent, prescribing his duties and providing for his compensation; providing for the working of county convicts on the roads of said county, to provide for the summoning of road hands and teams for road work and for allowance of time for road service for same, and fixing penalties for violation of any of the provisions of this Act; repealing all laws in conflict with this Act as applied to Bandera County; and declaring an emergency.);" and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

**Senate Bill No. 256.**

Senate Bill No. 256 was laid before the Senate but was laid on the table subject to call.

**Adjournment.**

On motion of Senator Woods the Senate adjourned until 10:10 o'clock a. m. Saturday morning, March 6.

**APPENDIX.****Committee Reports.**

Senate Chamber,

Austin, Texas, March 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 316 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 193 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 328 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Senate Chamber,

Austin, Texas, March 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 84, A bill to be entitled "An Act to amend Article 2925 and Article 2926 of Title 49, Chapter 2. Revised Civil Statutes of Texas, relating to the compensation of Judges and Clerks,"

Have had the same under consideration, and I am directed to

report same back to the Senate with the recommendation that it do pass.  
DOROUGH, Chairman.

Committee Room,

Austin, Texas, March 3, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred

S. B. No. 334, A bill to be entitled "An Act creating a Board of Managers for the Texas State Railroad, providing for the appointment; prescribing the duties of its members; directing the Prison Commission to transfer possession of the Texas State Railroad and all its property to the Board of Managers herein created, authorizing the Board of Managers to sell or lease the Texas State Railroad, and providing for the disposition of the proceeds; authorizing said Board in the event it cannot sell said railroad to continue to operate and to rehabilitate it, and making an appropriation therefor; providing for reports by said Board; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

McNealus, Chairman: Richards, Lewis. Harp. Bledsoe. Woods.

**(Floor Report.)**

Senate Chamber.

Austin, Texas, March 4, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 337, A bill to be entitled "An Act to create the 'County Court at Law' for Tarrant County, Texas, to define the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Tarrant County; fixing the salary of the judge of said court; providing for the appointment and election of the judges of said court hereby created; providing for the appointment of special judges and filling of vacancies in said office, and providing for an official shorthand reporter for said court, and declaring an emergency,"

Have had the same under con-

sideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Carlock, Chairman; Dudley, Parr, Wood, Williams, Dorough.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Commerce and Manufactures, to whom was referred

S. B. No. 335, A bill to be entitled "An Act amending Section 5 of an Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act relating to the protection of wild game, birds, etc., and requiring a license for the purpose of hunting, being H. B. No. 457, Chapter 157, of said Regular Session. Laws, and to repeal all laws in conflict herewith, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Murphy, Chairman; Watts, Davidson, Baugh, Wood, Fairchild.

Committee Room,  
Austin, Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: Your Committee on Town and City Corporations, to whom was referred

S. B. No. 330, A bill to be entitled "An Act to aid the City of Corpus Christi in the construction of a sea wall or breakwater so as to protect said city from calamitous overflow, by donating to said city all the State ad valorem taxes, collected on property and from persons in Jim Wells, Jim Hogg, Brooks, Kleberg, Willacy and Duval counties and by donating to said city all the State ad valorem taxes, collected on property and from persons in Nueces County not heretofore donated to the city of Corpus Christi by Act of the Thirty-fifth Legislature of Texas, known as House Bill No. 694 for a period of twenty-five years, and to provide a penalty for their misapplication, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal.  
WATTS, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

S. B. No. 331, A bill to be entitled "An Act providing that fifty (50%) per cent of all franchise taxes paid to the Secretary of State, and that fifty (50%) per cent of all gross receipts taxes paid to the State Treasurer shall be deposited in the State Treasury to the credit of the 'State Highway Fund,' to be used for highway purposes, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

Williams, Chairman; Harp, Woods, Richards, Lewis, Bledsoe.

(Floor Report.)

Senate Chamber,  
Austin Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

S. B. No. 332, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 14, 15 and 23 of Chapter 190 of the General Laws of the Thirty-fifth Legislature, regular session, and all amendments thereto; abolishing the State Highway Commission, State Highway Engineer and Board of Highway Commissioners and conferring all authority, powers, duties and functions thereof upon the Highway Commissioner herein provided for and upon the Secretary of State, so that the Highway Commissioner shall be charged with the duty of administering the law relative to the public highways and their construction and maintenance, while the Secretary of State shall be charged with the duty of administering the



laws with reference to registration and operation of motor vehicles in this State, and declaring an emergency."

Have had the same under consideration and I am instructed to report to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

Williams, Chairman; Harp, Woods, Richards, Lewis, Bledsoe.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 96, A bill to be entitled "An Act to amend Title 29 of the Revised Statutes of the State of Texas and Chapter 2 thereof, and Articles 1467a, 1468 and 1476 thereof, and Chapter 134 of the General Laws of the Regular Session of the Thirty-fifth Legislature, page 339 thereof, providing more fully for placing common and independent school district accounts and funds under the supervision and control of the county auditor in counties having a county auditor; also by adding thereto Article 1467b with respect to the accounts thereof, and repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

Witt, Chairman; Cousins, Suiter, McMillin, Darwin, Floyd.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 3, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred

S. B. No. 334, A bill to be entitled "An Act creating a Board of Managers for the Texas State Railroad, providing for the appointment, prescribing the duties of its members; directing the Prison Commis-

sion to transfer possession of the Texas State Railroad and all its property to the Board of Managers herein created, authorizing the Board of Managers to sell or lease the Texas State Railroad, and providing for the disposition of the proceeds; authorizing said Board, in the event it cannot sell said railroad to continue to operate and to rehabilitate it, and making an appropriation therefor; providing for reports by said Board; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be printed in the Journal.

Williams, Chairman; Richards, Lewis, Harp, Bledsoe, Woods.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 4, 1921.  
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred

S. B. No. 333, A bill to be entitled "An Act to amend Articles 6174, 6179, 6183, 6184, 6184a, 6187, 6188, 6201, 6208, 6217 and 6231 of the Revised Civil Statutes of 1911, as amended by Section 1, Chapter 32, Acts of 1917, First Called Session; Section 2, Chapter 141 of the Acts of 1919, Regular Session; Section 1, Chapter 63, Acts of 1919, Second Called Session; and Chapter 67, Acts of 1918, Fourth Called Session, regulating the management, control and financing the Penitentiary System, and the working of prisoners therein of the State of Texas, and providing for the sale of prison farms, and directing the Board of Prison Commissioners to contract with the State Highway Department for the use of convicts on State highways, in accordance with Section 24, Article 16 of the Constitution of the State of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, but be printed in the Journal.

Williams, Chairman; Harp, Woods, Richards, Lewis, Bledsoe.